



IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

APPLICANT: Thomas J. Maginot  
APPLICATION NO.: 10/731,068  
FILING DATE: December 8, 2003  
TITLE: Bypass Grafting Method  
EXAMINER: Paul B. Prebilic  
GROUP ART UNIT: 3738  
ATTY. DKT. NO.: 22220-08641

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: 6/28/05

By: A.C. Smith

Albert C. Smith, Reg. No.: 20,355

MAIL STOP PETITION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

PETITION UNDER 37 CFR §1.78 TO CLAIM BENEFIT UNDER  
35 U.S.C. §120 OF PRIOR APPLICATION

07/05/2005 LWDNDIM1 00000057 10731068

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Applicant hereby petitions in accordance with the provisions of 37 CFR §1.78(a)(3) to claim the benefit for this application under 35 U.S.C. §120 of the prior copending non-provisional application Ser. No. 09/903,831 filed on July 11, 2001 which duly claims the benefit of application Ser. No. 09/475,789 filed on December 30, 1999.

Applicant states that the entire delay between the date the claim for the benefit of the earlier application was due under 37 C.F.R. §1.78(a)(2)(ii) and the date this claim is filed was unintentional.

A check in payment of the surcharge set forth under 37 C.F.R. §1.17(t) is enclosed herewith. The Commissioner is hereby authorized to charge any required additional fee or credit any overpayment regarding this Petition to Deposit Account 19-2555. A duplicate copy of this authorization is enclosed.

Respectfully submitted,  
THOMAS J. MAGINOT

Dated: 6/28/05

By: Albert C. Smith

Albert C. Smith, Reg. No. 20,355  
Fenwick & West LLP  
801 California Street  
Mountain View, CA 94041  
Telephone (650) 335-7296  
Fax (650) 938-5200



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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence during pendency of filed application)</i>	Application Number	10/731,068	
	Filing Date	December 8, 2003	
	First Named Inventor	Thomas J. Maginot	
	Group Art Unit Number	3738	
	Examiner Name	Paul B. Prebilio	
Total Number of Pages in This Submission	7	Attorney Docket Number	22220-08641

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> Assignment & Recordation Cover Sheet <input type="checkbox"/> Declaration <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt  <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [ ] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): [ ] Sheet(s) of Figure(s) [ ] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Petition Under 37 CFR §1.78 to Claim Benefit Under 35 U.S.C. §120 of Prior Application (in duplicate) _____ _____ _____ _____ _____
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT			
Signature:			
Attorney/Reg. No.:	Albert C. Smith, Reg. No. 20,355	Dated:	6/28/05

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:			
Typed or Printed Name:	Albert C. Smith	Dated:	6/28/05
Express Mail Mailing Number (optional):			

